

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

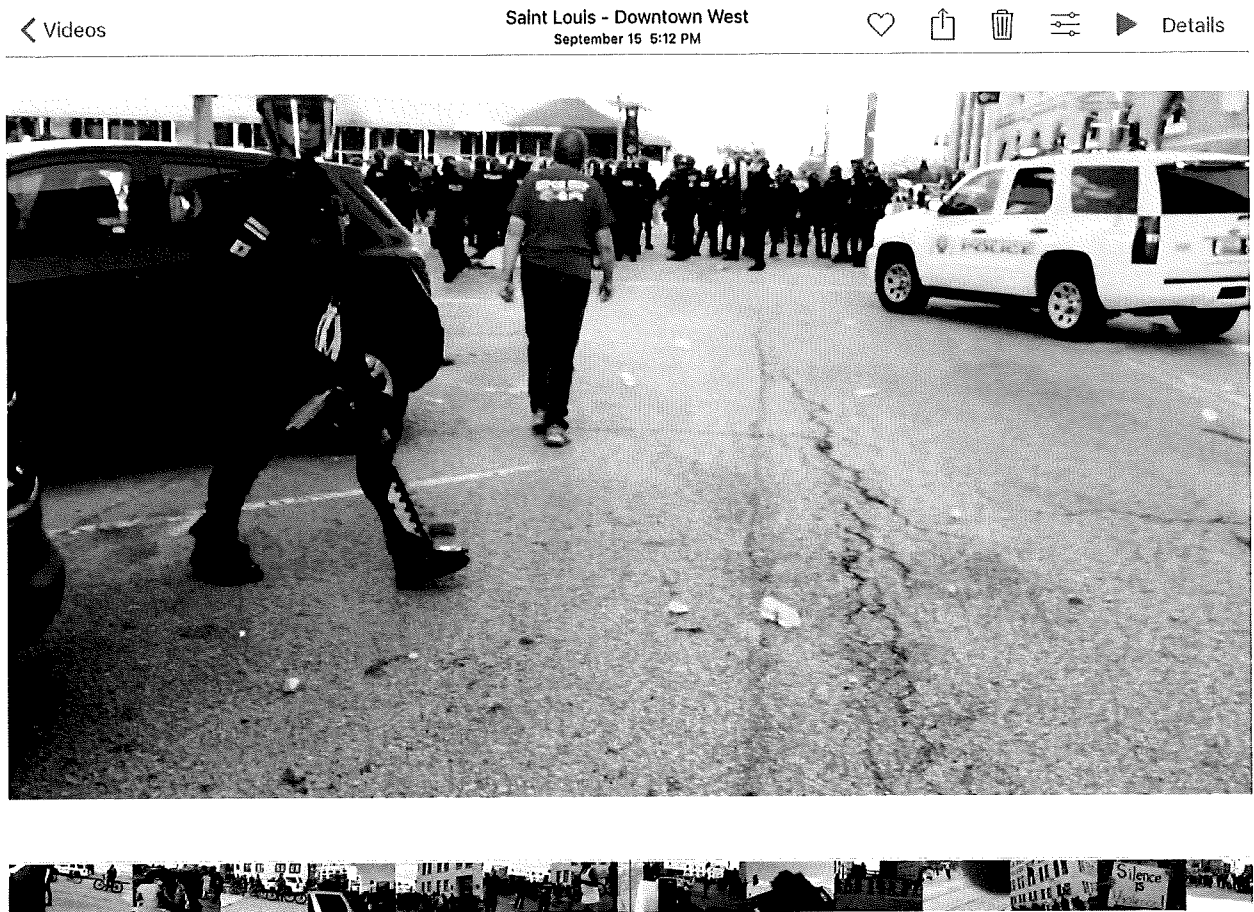
MALEEHA AHMAD)	
)	
and)	
)	
ALISON DREITH,)	
)	
<i>on behalf of themselves and a class of</i>)	
<i>similarly situated individuals,</i>)	No. 4:17-cv-2455
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF ST. LOUIS, MISSOURI,)	
)	
Defendant.)	

DECLARATION OF KEITH ROSE

I, Keith Rose, declare as follows:

1. I am over the age of 18. I have personal knowledge of the facts set forth in this declaration and could and would testify competently to those facts if called as a witness.
2. On September 15, 2017, after the verdict was announced in the Stockley case, I arrived in downtown St. Louis at around 1 p.m.
3. At that time, the police had blocked off several streets to vehicular traffic, including Tucker Avenue between Chestnut Street and Clark Street.
4. At about 5:17 p.m., I recorded a police officer using my mobile phone. The officer responded by spraying me with what I believe was OC spray from a distance of no more than five feet. I do not know the officer's name because he was not wearing a nametag, but this is a picture of him just before he sprayed me:

EXHIBIT M



At the time, no announcements had been made suggesting an unlawful assembly, ordering dispersal, or warning that chemical agents might be used. I was not engaged in any illegal activity.

5. Shortly thereafter, an unlawful assembly was declared by Brian Rossomanno, a sergeant with the police department. The reason given for declaring the assembly unlawful was that it was impeding the flow of traffic. The flow of traffic was not impeded, however, because police had blocked the street in all directions hours earlier and, thus, there was no traffic. The burning sensation from the chemicals on my skin was so intense and painful that I decided to leave the protest. A friend took me to his home nearby to shower and change clothes.

6. On September 17, 2017, I arrived in downtown St. Louis around 9:00 p.m. to document police interactions with protestors. I watched Rossomanno at Washington Avenue and Tucker Avenue at 9:28 p.m. declare an assembly unlawful, order dispersal, and warn of the use of chemical munitions. He told us to walk west on Washington Avenue. When I proceeded west on Washington Avenue before I could pass Tucker Avenue, different police officers told me I could not go west on Washington Avenue. So I moved north on Tucker. Police officers said to stand four to five feet away from the police line, which I did; seconds later, I was threatened with arrest by another police officer for failure to disperse although I was standing exactly where a police officer had told me to stand.

7. Around 10 p.m., the situation had deescalated and the police officers disbanded their line. The officers in riot gear left the area. While other officers lingered, the area was reopened to pedestrian traffic.

8. I did not hear any other dispersal orders the entire evening.

9. I followed the crowd south on Tucker and east on Locust and then to Ninth and Olive. I stood at Ninth and Olive from about 10:20 p.m. to 10:50 p.m. at which point my friend and I walked west to Tucker on Olive. We then walked north on Tucker to between St. Charles Street and Washington. I stood on the sidewalk for about ten minutes. During this time I did not observe any illegal activity or hear any announcements.

10. At about 11:15 p.m. police in riot gear starting walking toward us from south on Tucker; they entirely blocked the street and sidewalk so it was impossible to pass. Simultaneously, police officers on bicycles entirely blocked Washington Street and its sidewalks to the east of Tucker. At the same time, a line of riot police blocked the street and sidewalk

across Tucker north of Washington and began advancing toward Washington. I then noticed that riot police were also advancing east of Tucker heading west toward Washington. I was trapped and had no possible route to leave the area.

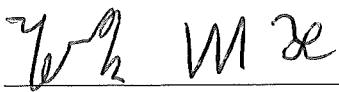
11. After the police surrounded us, we were directed to sit on the ground, which I and the others did, and ordered us to stop recording them. I saw police officers take the phones of individuals in the crowd from their hands and throw them on the ground. I followed exactly all directions given by police officers; however, I (and the group I was kneeling on the ground with) were sprayed with what I believe to be OC spray, and I was sprayed again from a distance of no more than five feet while my hands were zip-tied behind my back.

12. I saw no one resisting arrest, but I witnessed police officers beating, kicking, and dragging individuals. I also saw a police officer strangle a black man with the strap of his camera before taking the camera, viewing pictures, and pushing buttons on the camera.

13. I have witnessed St. Louis police use chemical agents on groups of protestors without warning on multiple occasions, including on July 21, 2017 at around 9 p.m. at the City Workhouse on Hall Street and on May 19, 2015 at around 9 p.m. on Fillmore Street.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated this 25th day of September, 2017.

By: 
Keith Rose